

REMARKS/ARGUMENTS

In response to the Office Action mailed September 9, 2003, Applicant respectfully requests that the Examiner reconsider his rejection of the claims.

Claim 1 is being cancelled.

Claims 2-13 remain.

Claims 2-12 have been amended.

Claims 1-9 stand rejected under 35 U.S.C. § 101 on the grounds that the claimed invention is directed to non-statutory subject matter. The Examiner states that Claims 1-9 describe only a protocol and thus fail to recite a hardware executing the protocol.

Independent Claim 1 has been cancelled. The dependency of Claims 2 and 3 has been changed from former independent Claim 1 to independent Claim 11. Similarly, the base dependency of Claims 4 – 9 has been revised. The rejections under 35 U.S.C. § 101 have now been obviated.

Claims 2-4, 6, and 10-13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Chuah*, (U.S. Patent 6,567,417) (hereinafter "the *Chuah* reference"). Applicant respectfully traverses these rejections.

Independent Claim 10 has been amended to include the features found in dependent Claims 2 and 3. Additionally, independent Claim 11 has been amended to include the features found in dependent Claims 4 and 7, and independent Claim 12 has been amended to include the features of dependent Claims 4, 5, and 7. In view of these amendments, Applicant distinguishes the remaining claims from the cited art.

The Examiner submits that the *Chuah* reference teaches a multimedia control field within a media access control frame and including a frame position sub-field, a stream index sub-field, a basic service set session identification sub-field and a time stamp sub-field. Specifically, the Examiner cites the *Chuah* reference, FIGURE 6A at

designator numerals 602, 624, and 636, and the text generally at Col. 14, Lines 25 – 46 and Col. 14, Line 60 – Col. 15, Line 5. In contrast to the Examiner's statement, the *Chuah* reference does not teach these claimed features.

Applicant respectfully notes that FIGURE 6 of the *Chuah* reference, taken in conjunction with the text at Col. 14, Lines 25-46, and Col. 14, Lines 60- Col. 15, Line 5, only describes a conventional frame control (FC) field, including a version identifier, a "more fragment" indicator, a retransmission indicator, a one-bit encryption on/ off flag, a one-bit "more data" indicator, and a power management on/off bit. Applicant respectfully submits that the *Chuah* reference does not mention the inclusion of an additional multimedia control field within the media access control frame which includes a frame position sub-bit field, a stream index subfield, a basic service session identification subfield, and a time stamp subfield. In the *Chuah* reference a BSS – ID field and the timestamp are found in the conventional beacon.

The Examiner also submits that the *Chuah* reference teaches a capability information field in FIGURE 6C and the text at Col. 14, Line 64 – Col. 15, Line 5. However, the *Chuah* reference does not teach such a capability information field in accordance with the inventive principles.

Applicant, as his own lexicographer, has defined a set of capability fields on Page 37 of the present application. This set of capability fields includes a multimedia (MM) capability bit to indicate whether a device is multimedia enhanced, a PPC capability bit indicating whether the device can render proxy services, an APC capability bit indicating whether the device is capable of being an alternate PC (point coordinator), and a channel sharing bit indicating whether the associated channel BSS (basic service set) is being shared with overlapping BSSs.

In contrast to the Examiner's submission, the *Chuah* reference does not teach such capability fields in FIGURE 6C and in the text at Col. 14, Line 64 – Col. 15, Line 5. Specifically, the *Chuah* reference briefly mentions "capability information" within the

beacon, at Col. 15, Lines 5-13, but only defines this capability information as including indicators such as the FDFD/FDHD option, the maximum number of admitted users, the maximum payload size, the security option, a maximum number of retransmissions, a ratio of down-link to up-link transmission time, uplink frame size, size of minislot, and quality of service features. The *Chuah* reference does not particularly describe the specific quality of service feature and particularly does not describe a set of capability fields claimed by the Applicant.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the *Chuah* reference, as applied to Claim 1 above, and in further view of *Ayanoglu* (U.S. Patent 6,122,759) (hereinafter "the *Ayanoglu* reference"). Applicant respectfully traverses this rejection.

The *Chuah* reference has been discussed in detail above; those remarks are applicable to the rejection of Claim 5 and therefore will not be repeated here for brevity and clarity. The Examiner then submits that the *Ayanoglu* reference discloses quality of service enhancements including forward error correction based on Reed Solomon coding at Col. 20, Lines 45-49. This cited passage only describes the utilization of a forward error correction field using Reed Solomon encoding within an ATM control message; the *Ayanoglu* reference does not teach or suggest the use of Reed Solomon forward error correction codes within a media access control frame in combination with a multimedia control field and/or capability information field, as described above.

Claims 7-9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the *Chuah* reference as applied to Claim 1 above, and in further view of *Huang, et al.* ("MHTP-A Multimedia High Speed Protocol") (hereinafter "the *Huang* reference"). Applicant also respectfully traverses these rejections.

The principles of the claimed invention have been distinguished from the teaching of the *Chuah* reference above. With respects to the *Huang* reference, the Examiner states that the *Huang* reference discloses a multimedia high speed transport

protocol utilizing a multimedia type definition in a medium access control header frame. The Examiner particularly points to Page 1365, Paragraph 2 of the *Huang* reference in support of this conclusion.

The Examiner correctly states that the cited passage from the *Huang* reference shows a media type field which includes a media bit for specifying whether the medium is video, voice, text, or the like, if flagged for identifying an associated data packet as being either a data packet, or a control packet, account field indicating the number of subprotocols used in one multimedia connection, and a subprotocol identifier field. However, as with the Chuah and *Ayanoglu* references, the *Huang* reference also does not teach a multimedia control field within a multimedia access control frame which includes a frame position subfield, a stream index subfield, and a basic service set session identification subfield, and a time stamp subfield. The *Huang* reference also does not disclose or suggest the inclusion of a capability information field within a multimedia control frame.

In view of the amendments and remarks set forth above, Applicant respectfully submits that the remaining claims are allowable in view of the *Chuah*, *Ayanoglu* and *Huang* references, individually and/or in combination.

No new matter has been added; the claims have been merely amended to more particularly point out and distinctly claim the subject matter Applicant believes is inventive.

Applicant respectfully submits that the Claims as they now stand are patentably distinct over the art cited during the prosecution thereof.


With the addition of no new claims, no additional filing fees are due. However, Applicant respectfully requests a One Month Extension of Time to File Response as indicated by the attached SB/22 and \$110.00 filing fees for a One Month Extension of Time to File as attached to the SB/17 fee transmittal, also attached. Finally, the

Commissioner is hereby authorized to charge any fees or credit any overpayment to
Deposit Account Number 23-2426 of WINSTEAD SECHREST & MINICK P.C.

If the Examiner has any questions or comments concerning this paper or the
present application in general, the Examiner is invited to call the undersigned at (214)
745-5374.

Respectfully submitted,

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